

Atty Docket No. 015258-017610US

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ATTENTION: Examiner Staicovici, S.
TELEPHONE NO.: 1 703 305-0396

Group Art Unit 1732

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EXAMINER Staicovici, S.
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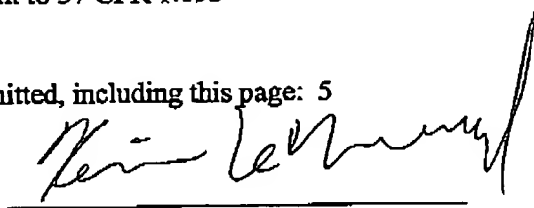
I hereby certify that the following document(s) in re Application of ANDREAS WALDER, Application No. 09/082,309, filed May 20, 1998 for METHOD OF THE PRODUCTION OF EXPANDABLE PLASTICS GRANULATE is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Reply Pursuant to 37 CFR 1.193

Number of pages being transmitted, including this page: 5

Dated: April 8, 2002


Kevin T. LeMond, Reg. No. 35,933

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TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: 415-576-0200
Fax: 415-576-0300
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PATENT
Attorney Docket No.: 015258-017610US
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Examiner S. Staicovici at Fax No.: 1 703 872-9311

On April 8, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Julie Taylor Cough

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ANDREAS WALDER

Application No.: 09/082,309

Filed: May 20, 1998

For: METHOD OF THE PRODUCTION
OF EXPANDABLE PLASTICS
GRANULATE

Examiner: Staicovici, S.

Art Unit: 1732

REPLY PURSUANT TO 37 C.F.R. § 1.193

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Examiner's Answer, Appellant acknowledges with appreciation the withdrawal of the rejection of the claims under 35 U.S.C. Section 103.

In response to the Examiner's continued rejection of the claims under Section 112, Appellant wishes to point out that there is no heating step recited within the claims. Claim 16 is directed to "the production of expandable plastics granulate from a plastics melt." Thus, the method recited in claim 16 begins after the heating process recited by the Examiner within the original disclosure on page 5, lines 25-27. Thus, it is once again respectfully submitted that claim 16 is fully supported by the original disclosure and conveys to one reasonably skilled in the art that the inventor(s) at the time the application was filed, had possession of the claimed invention.

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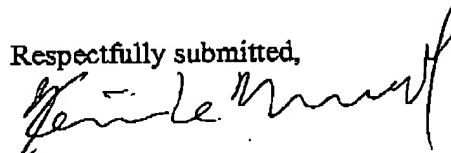
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CONCLUSION

In summary, the Section 112 rejection is improper because the specification fully supports the claims and conveys to one reasonably skilled in the art that the inventor(s) at the time the application was filed, had possession of the claimed invention. Appellant respectfully requests that this rejection as to all pending claims be reversed.

Respectfully submitted,



Kevin T. LeMond
Reg. No. 35,933

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
KTL:tc
SF 1334344 v1

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APPENDIX: CLAIMS ON APPEAL

1 16. A method, which does not use extruders, for the production of
2 expandable plastics granulate from a plastics melt and a fluid blowing agent that is, when
3 at a pressure within a predetermined pressure range, only partly soluble in the melt, the
4 method comprising the steps of:

5 dispersing the blowing agent in the melt with shearing of the melt thereby
6 creating a mixture;

7 retaining the mixture within a predetermined pressure range for a
8 predetermined retention time;

9 subjecting the mixture to less shearing, with respect to the shearing during
10 the dispersing step, during the predetermined retention time;

11 cooling the mixture to a temperature that is above the solidification
12 temperature of the melt;

13 granulating the cooled mixture; and

14 acting on the mixture with static mixer elements; and

15 wherein the dispensing of the blowing agent and the retaining of the
16 mixture is carried out in a single apparatus in which the mixture is acted upon
17 continuously by means of the static mixing elements as the mixture moves through the
18 apparatus for avoiding segregation.

1 17. The method of claim 16 wherein the cooling is performed at least
2 partly by components that also act on the mixture for static mixing.

1 18. The method of claim 17 wherein the cooling is performed in a static mixer
2 having elements crossing each other and formed as heat exchanging pipes.

1 20. The method of claim 19 wherein the chilling is performed with water.

1 21. The method of claim 19 further comprising forming the formed
2 strands into granules by disintegration.

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- 1 22. The method of claim 16 further comprising adding at least one additive to the
2 melt.
- 1 23. The method of claim 16 wherein a pressure drop during the dispersing step is
2 larger than a pressure drop during the retaining step.
- 1 24. The method of claim 23 further comprising increasing the pressure which the
2 melt is subjected to in-between the dispersing step and the retaining step.
- 1 25. The method of claim 16 wherein a pressure drop during the cooling step is
2 larger than a pressure drop during the retaining step.
- 1 26. The method of claim 25 further comprising increasing the pressure which the
2 melt is subjected to in-between the retaining step and the cooling step.
- 1 27. Canceled.
- 1 28. The method of claim 16 wherein the dispersing step is performed in a
2 first static mixer and the retaining step is performed in a second static mixer.
- 1 29. The method of claim 28 further comprising pumping the mixture into
2 a third static mixer having elements crossing each other and formed as heat exchanging
3 pipes for performing the cooling step.

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